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October 9, 1998

Xavier McDonnell, Esq.
Enforcement Division
Office of the General Counsel
Federal Election Commission
999 E Street, NW, Room 659
Washington, DC 20463

Re: MUR 4798 - Buncombe County Republican Party and its
Treasurer (now Gary S. McClure)

Dear Xavier:

I have enclosed the Response to Interrogatories and Request
for Production of Documents in the above-referenced matter.

With best wishes, I am

Very truly yours,

Robert B. Long, Jr.

RBLjr/sp
Enclosure

5694-153-40-66

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 4798

RESPONSE TO INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

Gary S. McClure, Treasurer, Buncombe County Republican Party,
herewith responds to the questions and document requests as follows:

PREFACE

The undersigned, Gary S. McClure, Treasurer, was not the treasurer of the Buncombe County Republican Party at the time of the events as to which questions and document requests are directed. However, the undersigned herewith will attempt to answer those questions on the basis of his understanding as gathered both by questions asked by him and by his counsel who will likewise sign these answers to interrogatories:

1. Disclosure reports indicate that during 1996 you received \$13,925 from the Randolph County Republican Party Executive Committee ("Randolph County Committee"). With respect to such transfer/contribution:

a. State the date on which you received such funds;

RESPONSE: October 25, 1996.

b. State whether the funds were transferred pursuant to any request made by you;

RESPONSE: There was no request by the undersigned or his predecessor as treasurer.

c. State the purpose of such transfer/contribution;

RESPONSE: The purpose of the transfer/contribution was to pay for a mailing on behalf of a local legislative candidate.

d. Identify all persons involved in giving and receiving such funds;

RESPONSE: The funds were received by Martin Reidinger, Treasurer. The then Chairman of the Buncombe County

Republican Party, Willard Fishburne, had agreed to pay for the mailing provided funding was obtained for such mailing. Bradley A. Hix, Director of Campaign Operations at Harold J. Brubaker Campaign Committee and Mark Stevens at Advantage Mailing had knowledge of the preparation of the mailing and the transfer of funds to pay for it. Also, candidate Lanier Cansler, apparently his wife, Barbara, and Alan Pugh, attorney at law of Asheboro, North Carolina, who represented the Randolph County Republican Executive Committee and its treasurer had some knowledge of the funds. The documents concerning checks, memos, and correspondence surrounding this as are in the possession of the Buncombe County Republican Party have been furnished.

e. Identify and produce all documents related to the transfer, including but not limited to checks, memos, correspondence, etc.

RESPONSE: See documents delivered to Federal Elections Commission.

2. State whether you had any discussion with the Randolph County Committee regarding the use of any of the funds referenced above in question 1. Yes. If so:

a. State when you had such discussions;

RESPONSE: It is my understanding that Willard Fishburne, and Martin Reidinger had discussions with Bradley Hix and candidate Lanier Cansler within a week or so prior to October 25, 1996.

b. State the substance of such discussions, and specifically whether the Randolph County Committee provided you with any instructions, or made any request or suggestion, about the use of the funds, i.e., whether to use the funds on state or federal elections, on advertising, voter mailings, get-out-the-vote activity;

RESPONSE: The substance of the discussions were specifically that the funds be used for a voter mailing to support candidate Lanier Cansler in the election for the North Carolina State House. The format used was that selected by the candidate Cansler or others working on his behalf.

c. Identify all persons involved in such discussions;

RESPONSE: See the answer to 1(d) above.

d. Identify and produce all documents related to such discussions, including but not limited to memos, correspondence, etc.

RESPONSE: All documents in the possession of the Buncombe County Republican Party have been produced to the Federal Elections Commission.

3. Disclosure reports indicate that you made a \$13,915.20 payment/expenditure to Advantage Mailing on October 24, 1996. With respect to such payment/expenditure: (sic. believe this should be October 25, 1996).

a. State whether you had any discussions with the Randolph County Committee about such payment/expenditure, and if so, state the substance of any such discussions;

RESPONSE: Discussions were had with the Randolph County Committee, through Harold Brubaker, Alan Pugh, and Bradley Hix regarding their desire to pay for the voter mailing for candidate Lanier Cansler.

b. State whether the Randolph County Committee gave you any instructions, or made any request or suggestion, about the \$13,915.20 payment/expenditure, including but not limited to suggesting what vendor to use and the type of goods or services purchased, i.e., whether to use the funds on state or federal elections, on advertising, voter mailings, get-out-the-vote activity;

RESPONSE: It is the understanding of the undersigned that the Randolph County Committee was assisting a number of state house legislative candidates who used Advantage Mailing, Inc. to do their voter mail pieces for state legislative candidates. Buncombe County Republican Party respected the wish of its legislative candidate Lanier Cansler to have such a mailing with funds provided by the Randolph County Executive Committee.

c. Identify any persons from your committee involved in reviewing, approving or making suggestions regarding the goods or services purchased;

RESPONSE: Willard Fishburne and Martin Reidinger understood at the time that Lanier Cansler had approved the mailing, either directly or through one of his campaign workers,

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and wished the expenditure made for the mail piece previously provided to the Federal Elections Commission.

d. Identify and produce all documents related to the payment/expenditure, including but not limited to scripts, tapes, memos, notes, correspondence, information stored on or created by computer.

RESPONSE: All information in the possession of the Buncombe County Republican Party has been provided to the Federal Elections Commission.

4. Your 1997 year end report indicates that you paid a \$8,925 debt to your "state operating account."

a. State the date of that payment;

RESPONSE: January 21, 1998.

b. Identify the source of the funds used to make that payment, and specifically whether such funds were raised pursuant to the requirements of the Federal Election Campaign Act of 1971, as amended;

RESPONSE: Monies in the Buncombe County Republican Party Checking Account #1212740002 at First Citizens Bank. All funds reported during 1997 met requirements of Federal Election Campaign Act of 1971 except the \$2260 contributed by Eugene Pressley, which contribution was within North Carolina state contribution limits.

c. Identify and produce all documents related to such payment.

RESPONSE: See attached debit and credit receipts of First Citizens Bank for such transfers.

5. State whether you made any payments for voter registration, party building or get-out the vote activities. If so, indicate whether you allocated the federal and non-federal portions of such payments in accordance with 11 C.F.R. §106.5.

RESPONSE: No voter registration, party building, or get-out-the-vote activities were paid for on the reports tendered to the Federal Elections Commission. No allocations were made.

6. State whether from 1996 to the present, you allocated any of your operating expenditures or other expenditures in accordance with 11 C.F.R. §106.5. If so, provide the allocation formulas used for such

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disbursements/expenditures and state whether such were provided on your disclosure reports.

RESPONSE: None were allocated. By separate letter, explanation will be made with request for instructions on the necessity of making such an allocation.

This the 9th day of October, 1998.

BY: 

Robert B. Long, Jr.
Long, Parker & Warren, P.A.
P.O. Box 7216
Asheville, NC 28802
828/258-2296

99.04.391.4700



CHECKING/SAVINGS ACCOUNT THIS IS TO ADVISE THAT WE HAVE THIS DAY:

NC-01

- ☒ DEBITED YOUR ACCOUNT
53 - DEBIT MEMO
81 - CREDIT REVERSAL
93 - TELEPHONE TRANSFER
- ☐ CREDITED YOUR ACCOUNT
20 - CREDIT MEMO
23 - DEBIT REVERSAL
30 - OVERDRAFT CHARGE-OFF
32 - INTEREST CREDIT ADJUSTMENT
56 - TELEPHONE TRANSFER

DATE
12/14/8
PREPARED BY
APPROVED BY

DESCRIPTION

TO 1212740002

NAME

Bunc Rep Party

ACCOUNT NUMBER

* 1212685453

ADDRESS:

TR CODE

53\$

AMOUNT

9500.00

CITY, STATE, ZIP:

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CHECKING/SAVINGS ACCOUNT THIS IS TO ADVISE THAT WE HAVE THIS DAY:

NC-01

- ☐ DEBITED YOUR ACCOUNT
53 - DEBIT MEMO
81 - CREDIT REVERSAL
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20 - CREDIT MEMO
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30 - OVERDRAFT CHARGE-OFF
32 - INTEREST CREDIT ADJUSTMENT
56 - TELEPHONE TRANSFER

DATE
11/21/90
PREPARED BY
APPROVED BY

DESCRIPTION

FROM 1212685453

NAME

Bunc Rep Party

ACCOUNT NUMBER

* 1212740002

ADDRESS

TR CODE

20\$

AMOUNT

9500.00

CITY, STATE, ZIP

CUSTOMER COPY 31-938975 (REV. 5/95)

1074 163 40 56

STATE OF NORTH CAROLINA

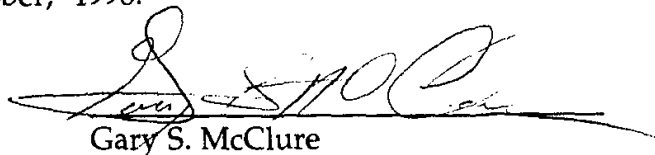
COUNTY OF BUNCOMBE

VERIFICATION

Gary S. McClure, being first duly sworn, deposes and says:

That he is the Treasurer of the Buncombe County Republican Party and that he has read the foregoing responses to Interrogatories and Request for Production of Documents, and the same is true of his own knowledge and belief, except as to those matters and things stated upon information and belief, and as to those matters he verily believes them to be true.

This the 9th day of October, 1998.

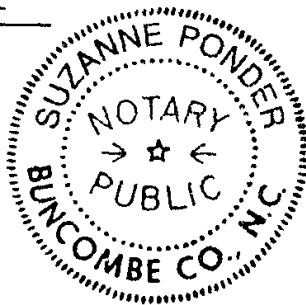

Gary S. McClure

SWORN TO AND SUBSCRIBED, before me this the 9th day of October, 1998.


NOTARY PUBLIC

My Commission Expires:

7-20-02



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